

# TEMPORARY

NO. 62376-T

## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 09 1996  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_  
Map filed MAR 03 1995 under 60985

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The applicant **Rayrock Mines, Inc.**, hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit No. 60992**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.5 second feet**
3. The water to be used for **Mining, Milling and Domestic**
4. The water heretofore permitted for **Mining, Milling and Domestic**
5. The water is to be diverted at the following point **NW¼ SE¼ Sec. 4, T.12S., R.48E., M.D.B.&M. (unsurveyed)** at a point from which the NW corner of **Sec. 4, T.12S., R.48E., M.D.B.&M. (unsurveyed)** bears **N 47°03'18.3" W, a distance of 4,883.3 feet**
6. The existing permitted point of diversion is located within the **NW¼ NW¼ Sec. 14, T.12S., R.48E., M.D.B.&M. (unsurveyed)** at a point from which the NW corner of **Sec. 4, T.12S., R.48E., M.D.B.&M. (unsurveyed)** bears **N 43°05'42" W., a distance of 16,042.04 feet.**
7. Proposed place of use **SW¼ Sec. 12, SE¼ Sec. 12, Sec. 13, NE¼ Sec. 14, SE¼ Sec. 14, T.12S., R.47E., M.D.B.&M., SW¼ Sec. 7, SE¼ Sec. 7, SW¼ Sec. 8, T.12S., R.48E., M.D.B.&M. (unsurveyed)**
8. Existing place of use **SW¼ Sec. 12, SE¼ Sec. 12, Sec. 13, NE¼ Sec. 14, SE¼ Sec. 14, T.12S., R.47E., M.D.B.&M., SW¼ Sec. 7, SE¼ Sec. 7, SW¼ Sec. 8, T.12S., R.48E., M.D.B.&M. (unsurveyed)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled and cased well, electric motor, and distribution sytem**
12. Estimated cost of works **\$300,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Water to be used for mining, heap leaching, and precious metals recovery. Water will be comingled with Applications #60985, #60986, #60987, #60988, #60989, #60990, #60991, #60992, Certificate #13786 and Certificate #13788. Total consumptive use will not exceed 210.4 MM gallons annually.**

By **s/D. Henry Reed**  
**D. Henry Reed**  
**P.O. Box 160**  
**Valmy, Nevada 89438**

Compared **cms/bk** **cl/bk**

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 60992 is issued subject to the terms and conditions imposed in said Permit 60992 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on January 1, 2008, and all rights herein will revert back to the source.

It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed.

This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 51555 Certificate 13786; 52847 Certificate 13788; 60985; 60986; 60987; 60988; 60989; 60990; 60991; 60992, and 62376-T shall not exceed 645.7 acre-feet annually. The total combined diversion rate under the above referenced permits and any subsequent changes to these permits shall not exceed 4.94 cubic feet per second.

The above referenced water rights are issued subject to the letter of approval by the State Engineer dated August 8, 1996, of the "Monitoring Program for Groundwater Levels in Crater Flat, Southern Nevada". This monitoring plan dated November 6, 1995, was entered as a portion of Applicant's Exhibit A-5 at the hearing before the State Engineer on March 19, 1996. The State Engineer reserves the right to impose additional terms and conditions upon review and evaluation of data submitted as a result of the monitoring program.

Monthly records will be kept of the following: the volume of water pumped from each well and the volume of water consumptively used for mining and milling purposes projectwide. These records will be submitted within 15 days after the end of each month.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 17, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 362.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

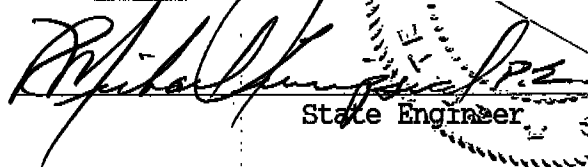
Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

**TEMPORARY**

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,  
this 18th day of November, A.D. 1996

  
State Engineer

**EXPIRED**  
**DATE** AUG 05 1997

